

PATENT COOPERATION TREATY

BREVETS

29 JUIN 2004

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing

(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220**FOR FURTHER ACTION**
See paragraph 2 belowInternational application No.
PCT/EP2004/002278International filing date (day/month/year)
05.03.2004Priority date (day/month/year)
20.03.2003International Patent Classification (IPC) or both national classification and IPC
H04N1/00Applicant
EASTMAN KODAK COMPANY

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk - Pays Bas
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl
Fax: +31 70 340 - 3016

Authorized Officer

Hazel, J

Telephone No. +31 70 340-3022



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/EP2004/002278

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/EP2004/002278

Box No. II Priority

1. ☒ The following document has not been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-12
	No: Claims	
Inventive step (IS)	Yes: Claims	4,5
	No: Claims	1-3,6-12
Industrial applicability (IA)	Yes: Claims	1-12
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

D1: US-A-2001 010 543

D2: WO-A-00 62542

1. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 does not involve an inventive step in the sense of Article 33(3) PCT.

1.1 The document **D1** is regarded as being the closest prior art to the subject-matter of claim 1, and discloses (see paragraphs 33,12,14,15 and figure 1):

A method for sharing multimedia data (image and associated data, paragraph 15) captured by [many] cameras (electronic still camera 10) or sound recorders provided with multimedia data transmission means (communications interface 32), comprising

- the reception of multimedia data routing messages (at the internet service provider 14), the routing messages including multimedia data ,
- the linking to each multimedia data of an identifier (implicit), and the saving of said multimedia data (implicit),
- the reception of multimedia data requests,
- the search for at least one saved multimedia data corresponding to the data of the request (implicit), and
- if the search finds at least one multimedia data, the transmission of the multimedia data to an addressee (implicit).

1.2 The extension of the method of D1 to more than one camera (i.e. a plurality thereof) is considered trivial. The linking to each multimedia data of an identifier and the saving of said multimedia data are both considered to be implicit in an internet-based, indeed any, multimedia data storage method, such as that disclosed in D1. Similarly, the search for and the transmission to an addressee of at least one saved multimedia data corresponding to the data of a request is considered to be implicit in such an internet-based method.

1.3 The subject-matter of claim 1 therefore differs from this known method in that:

the routing messages and the multimedia data requests further include at least some event data, and the method further comprises:

- the linking to each multimedia data of an identifier being made according to the event data,

1.4 It could be argued that in the method of D1, where pictures taken on vacation are shared via the internet, it is implicit that event data in the form of data identifying the vacation are included in both the routing messages and the multimedia data requests.

1.5 The problem to be solved by the present invention may therefore be regarded as one of not having transmittable, storable and retrievable multimedia data linked to an 'event'.

The solution proposed in claim 1 of the present application cannot be considered as involving an inventive step (Article 33(3) PCT) for the following reasons. D2 (see abstract, page 6, line 9 - page 8, line 1, page 9, line 26 - page 10, line 7) describes a method for capturing multimedia data of an event such as a wedding and linked to location, time and date data, and for transmitting it to an internet site or to a database. The features of section 1.3, above, are therefore described in document D2 as providing the same advantages as in the present application. The skilled person would therefore regard it as a normal design option to include these features in the method described in document D1 in order to solve the problem posed.

2. Dependent claims 2,3,6-12 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, see documents D1 and D2 and the corresponding passages cited in the search report.
3. The features of dependent claim 4 and, in turn, its dependent claim, claim 5, appears to be neither known from, nor rendered obvious by, the available prior art.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/EP2004/002278

Re Item VII.

There appear to be a number of divergences between the texts of the claims of the french priority application and the present application, namely:

claim 1: "many" has been translated from the french "une pluralité de";
presumably it should read "a plurality of";

claim 2: "according to claim 1" is missing after "multimedia data";

claim 4: "the" is missing after "transmitting"

claim 11: "listed" has been translated from the french "recensées"; "recorded"
would appear to be a more accurate translation.